

Sentence Review Division  
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(406) 841-2976

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,	)	Cause No. DC-17-665
	)	
Plaintiff,	)	Missoula County District Court
	)	Montana Fourth Judicial District
-vs-	)	
	)	<b>DECISION</b>
STEVEN SCOTT MITCHELL,	)	
	)	
Defendant.	)	

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On February 28, 2019, the Defendant was sentenced for Count I: Theft of Property exceeding \$5000 or Common Scheme, to the Montana State Prison for ten (10) years, no time suspended. For Count II: Burglary, the Defendant was sentenced to the Montana State Prison for ten (10) years, no time suspended, to run concurrently with the sentence in Count I. The Court recommended the Nexus program followed by prerelease. The Defendant was ordered to pay restitution in the amount of \$16,324.70. The Defendant received credit for time served of 54 days.

On August 2, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant was present and was represented by Nate McConnell of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.


Done in open Court this 2<sup>nd</sup> day of August, 2019.

DATED this 11<sup>th</sup> day of December, 2019.

SENTENCE REVIEW DIVISION

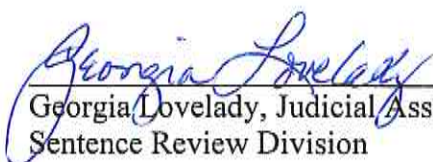
  
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Hon. Brenda Gilbert, Chairperson

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

  
\_\_\_\_\_  
Hon. Luke Berger, Member

Copies mailed this 13<sup>th</sup> day  
of December, 2019, to:

Clerk of District Court (Original)  
Steven Scott Mitchell #3025331, Defendant (2)  
Hon. John Larson  
Nate McConnell, Defense Counsel  
Mac W. Bloom, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.

  
\_\_\_\_\_  
Georgia Lovelady, Judicial Assistant  
Sentence Review Division